

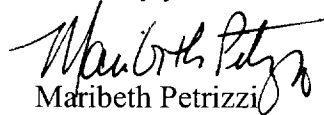
requires defendants to sell any tangible and intangible assets used in the production and sale of brazing sheet, including the entire Ravenswood facility, and any research, development, or engineering facilities, *wherever located*, used to develop and produce any product – not just brazing sheet – currently rolled at the Ravenswood facility (*see* Judgment, §§ II (E)(1)-(3)).

Although the United States reserves “sole discretion” as to whether a prospective buyer of Pechiney’s brazing sheet business may be a viable and effective competitor (*see* Judgment, § IV(J)), it will consider your company’s view before making a final decision on that question.

In any event, the divestiture process is continuing and has yet to produce any proposed purchaser. Although the defendants have solicited offers for Pechiney’s brazing sheet assets, they have not proposed a purchaser for the divested assets. If the defendants are unable to find an acceptable purchaser on their own, the proposed Judgment permits the Department of Justice to nominate, and the Court to appoint, a trustee responsible for conducting an independent search for an acceptable purchaser and selling Pechiney’s brazing sheet assets “at such price and on such terms as are then obtainable upon reasonable effort” (Judgment, §V(B)). In short, at this point, we cannot conclude that the defendants’ – or if necessary, the trustee’s – efforts to sell Pechiney’s brazing sheet assets will not produce an acceptable, viable purchaser capable of vigorously competing in the development, production, and sale of brazing sheet in North America.

Thank you for bringing your concerns to our attention; we hope this information will help alleviate them. Pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(d), a copy of your comment and this response will be published in the Federal Register and filed with the Court.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Maribeth Petrizzi", written over the printed name.

Maribeth Petrizzi
Chief
Litigation II Section

cc: Richard Liebeskind, Esquire



November 21, 2003

Anthony Harris, Esq.
U.S. Department of Justice
Litigation II Section, Suite 3000
1401 H Street, NW
Washington, DC 20530

Re: U.S. v. Alcan, Inc.

Dear Mr. Harris:

On behalf of Airbus SAS. and Airbus North America Holdings, Inc., I hereby request that Airbus be advised about each potential purchaser of the Ravenswood, West Virginia facility that is considered by the Department of Justice pursuant to the consent decree in the above-captioned case. Specifically, Airbus asks that you provide it with the opportunity to comment in a timely and effective way on the qualifications of any such purchaser. You may send all information to Airbus by addressing it to me at the address below. In addition, I ask that you also send a copy Martyn Brown at Airbus UK, Ltd., B3 New Tech Center, Golf Course Lane, Filton, Bristol, UK BS99 7AR.

As you know, Airbus purchases significant amounts of highly specialized aluminum products from the Ravenswood plant and is very concerned that Ravenswood be owned by a company with the technical, financial, and managerial qualifications necessary to operate the plant effectively in extremely competitive global markets. Further, the sale of the Ravenswood facility has the potential to cause damage to our commercial competitiveness by raising prices for specialized aluminum.

Thank you in advance for your consideration. Please feel free to call me at (703) 834-3545 should you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Martin-Nagle", written over a circular stamp or seal.

Renée Martin-Nagle
Vice-President & General Counsel

cc Martyn Brown
Richard Liebeskid